IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION F.NO.1870 OF 2005
IN
FIRST APPEAL NO.724 OF 2005

Prabhakar s/o Baburao Naik
and ors. .. Applicants
Vs
Padmakar Baburao Naik and ors. .. Respondents
Mr Anil V.Anturkar i/b Mrs Vinita V.Bakre-Shastry, for the applicants.
Mr Vijay Killedar for respondent nos 1 and 3.

CORAM : S.B.MHASE &
D.B.BHOSALE, JJ.

DATE : APRIL 25, 2005.

P.C.

1. Heard.

2. Mr.Killedar, learned counsel, waives service for respondent nos 1 and 3. Mr. Anturkar, learned counsel for respondent nos 1 and 3, seeks leave to delete respondent nos 2,4 and 5. Leave to delete respondent nos 2,4 and 5, is granted.

3. This is a civil application seeking interim relief that the respondents shall not create third party interest in the suit property. Mr Anturkar, learned counsel for the applicants made a statement that the appellants will not create any third party interest in the suit property. In view of this, the statement on behalf of the applicant is accepted. It

is further directed that the applicants and the respondents, both. shall not create any third party interest and/or shall not alienate the suit property during the pendency of the appeal.

4. The civil application is accordingly disposed of.

(D.B.BHOSALE, J.) **(S.B.MHASE, J.)**

/rrt/db-05/db-25405/ca1870-05